



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

JUL 17 2018

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Safety Harbor Firearms
P.O. Box 563
Safety Harbor, FL 34695

Dear Safety Harbor Firearms:

This correspondence is to inform you of a recent classification made by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), which likely affects similar products marketed by your company.

FTISB received and evaluated a ".50 BMG upper assembly" for determination of importability. During the evaluation, FTISB determined that ".50 BMG upper assemblies" incorporate a firearm "**receiver**;" and therefore are classified as "**firearms**" in and of themselves. As such, these ".50 BMG upper assemblies" must be marked in accordance with 18 U.S.C. § 923(i), and follow all prescribed statutes and regulations regarding firearms.

As background, the amended Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "**firearm**" to include, in relevant part: "...*any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive...[and]...the frame or receiver of any such weapon...*"

Additionally, Title 27 CFR §478.11 defines the term "**firearm frame or receiver**" as: "*that part of a firearm which provides housing for the hammer, bolt or breechblock, and firing mechanism, and which is usually threaded at its forward position to receive the barrel.*"

ATF has determined that the receiver of a bolt-action rifle is the part of the firearm to which the barrel attaches that provides housing for the bolt and, in most cases, the trigger. In most bolt-action firearms, the stock is also generally attached to the receiver. The receiver must be marked in accordance with the GCA and Federal regulations.

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With respect to markings, the GCA, 18 U.S.C. § 923(i), states:

“...Licensed importers and licensed manufacturers shall identify by means of a serial number engraved or cast on the receiver or frame of the weapon, in such a manner as the Attorney General shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer...”

Further, please note that 27 CFR § 478.92 states the following:

“...each licensed manufacturer or licensed importer of any firearm manufactured or imported shall legibly identify each such firearm by engraving, casting, stamping (impressing), or otherwise conspicuously placing or causing to be engraved, cast, stamped (impressed) or placed on the frame or receiver thereof in a manner not susceptible of being readily obliterated, altered, or removed, an individual serial number not duplicating any serial number placed by the manufacturer or importer on any other firearm, and by engraving, casting, stamping (impressing), or otherwise conspicuously placing or causing to be engraved, cast, stamped (impressed), or placed on the frame or receiver, or barrel thereof in a manner of not susceptible of being readily obliterated, altered or removed, the model, if such designation has been made; the caliber or gauge; the name (or recognized abbreviation of same) of the manufacturer and also, when applicable, of the importer; in the case of a domestically made firearm, the city and State (or recognized abbreviation thereof) wherein the licensed manufacturer maintains its place of business; and in the case of an imported firearm, the name of the country in which manufactured and the city and State (or recognized abbreviation thereof) of the importer.”

Please also note that a bolt-action upper assembly on an AR-type receiver does not change the characteristics of the bolt-action upper assembly such that it is no longer a “**receiver**.” The bolt-action upper assembly differs drastically from a standard AR-type upper assembly, including the necessity of manual operation. Further, ATF has previously determined that non-standard AR-type upper assemblies, when attached to an AR-type receiver, does not preclude the upper assembly from being classified as a firearm “**receiver**.” ATF has determined that when two receivers are assembled together into a firearm, this redesigned firearm contains two firearm receivers.

If you wish to receive an official evaluation of your product, please submit the sample to:

Chief, FTISB
244 Needy Rd., Suite 1600
Martinsburg, WV 25405

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Please contact us if you have any additional questions regarding this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael R. Curtis", with a stylized flourish at the end.

Michael R. Curtis

Chief, Firearms Technology Industry Services Branch

CC: Aaron Gerber, DIO
Tampa Field Division